

## **EXHIBIT 6**

**MORRISON | FOERSTER**

755 PAGE MILL ROAD  
PALO ALTO  
CALIFORNIA 94304-1018  
  
TELEPHONE: 650.813.5600  
FACSIMILE: 650.494.0792  
  
WWW.MOFO.COM

MORRISON & FOERSTER LLP  
NEW YORK, SAN FRANCISCO,  
LOS ANGELES, PALO ALTO,  
SACRAMENTO, SAN DIEGO,  
DENVER, NORTHERN VIRGINIA,  
WASHINGTON, D.C.  
  
TOKYO, LONDON, BRUSSELS,  
BEIJING, SHANGHAI, HONG KONG

March 1, 2011

Writer's Direct Contact  
650.813.5947  
Telefacsimile: 650.251.3509  
RBallinger@mofo.com

Via E-Mail to [ssnyder@kslaw.com](mailto:ssnyder@kslaw.com)

Steven T. Snyder  
King & Spalding LLP  
227 W. Trade Street - Suite 600  
Charlotte, NC 28202

Re: *Oracle v. Google* – Google custodian list and search terms

Dear Steve:

Last week, we requested an update regarding Google's plans for producing ESI. This Monday, you sent me a set of search terms that Google is applying to custodial data, and during our conversation this afternoon, you confirmed that Google is not reviewing data for any custodians other than the 35 identified on January 20, 2011.

As you know, both parties must produce documents from all custodians who are likely to have relevant documents. For Google, that collection and production should presumably include all members of the Android development team as well as the Google employees and executives who currently have or have had responsibilities relating to the marketing, development, deployment, or accounting for Android or Google's Android-related business endeavors, including Google's mobile business as a whole and the Open Handset Alliance.

I note that we have taken substantial steps to ensure that Oracle's production includes documents responsive to Google's requests, and we have collected documents from over 200 custodians to date and applied a broad set of search terms. In contrast, Google's search is apparently limited only to the 35 Google employees listed on the parties' initial disclosures. That is insufficient.

Although it is Google's responsibility to identify relevant custodians, from our initial review of your document productions and other materials we have identified the following additional custodians who, at a minimum, we expect Google to include in its collection and productions: Tim Armstrong; Hugo Barra; Daniel Berlin; Dave Bort; Tim Bray; Michael Chan; Mike Cleron; Daniel Conrad; Hung Dang; Chris DeSalvo; Shari Doherty; Xavier Ducrohet; Brad Fitzpatrick; Mike Fleming; Ryan Gibson; Vic Gundotra; Chet Haase; Dianne Hackbon; Barry Hayes; Steve Horowitz; Sung Hu Kim; Nick Kralevich; David Lawee; Bob

**MORRISON | FOERSTER**

Steven T Snyder  
 March 1, 2011  
 Page Two

Lee; Michael Morrissey; Keva Nelson; Prasenjit Phukan; Rob Pike; Mario Quelroz; Dan Rice; Jamie Rosenberg; Jonathan Rosenberg; Jason Spero; Tim Sullivan; Brian Swetland; Karim Temsamani; Ken Thompson; Erick Tseng; and Chris White.

With respect to search terms, the two sets of proposed searches that you sent to me cover certain aspects of our documents requests, and we appreciate your efforts to come up with a list of searches, but the search do not appear sufficient to identify all documents responsive to each of Oracle's requests to date. Pursuant to the ESI stipulation, we therefore ask that Google add the following searches:

1. Java\* OR JME OR JSE OR J2ME OR J2SE
2. Sun OR @sun OR Oracle OR @oracle
3. (Android\* OR Dalvik) AND (specif\* OR instruct\* OR deploy\* OR install\* OR maintenance OR maintain\* OR upgrade\* OR develop\* OR decompile\* OR licens\* OR deploy\* OR distribut\* OR agreement OR contract\* OR "intellectual property" OR IP OR patent\* OR copyright\* OR trademark\* OR infring\* OR Gosling OR Yellin OR Tuck OR Fresko OR Bak OR Griesemer OR Gong OR Apache OR account\* OR revenue\* OR expense\* OR expenditure OR profit\* OR loss\* OR cost\* OR financ\* OR \$\* OR monetize\* OR sale OR paid OR payment OR million OR billion OR budget\* OR plan\* OR project\* OR expenditure\* OR model\* OR market\* OR marketshare OR strateg\* OR project\* OR financ\* OR fragment\* OR fork\* OR portab\* OR compatib\* OR incompatib\* OR OpenJDK OR JDK OR Subscriber OR subscription OR "open source" OR acquir\* OR acquis\* OR "stock purchase" OR value\* OR valuation OR diligence)
4. "Android Inc." or "Android, Inc."
5. "Open Handset Alliance" OR OHA
6. Mobile AND (profit\* OR loss\* OR income\* OR revenue\* OR project\* OR share OR marketshare OR "market share" OR ("operating system" OR OS) AND (project\* OR demand\*))
7. Google AND ((mobile AND (OS OR "operating system" OR Apple OR Microsoft OR Nokia OR "Research In Motion" OR RIM OR Palm) OR (Symbian OR iOS OR "Windows Phone" OR "Windows Mobile" OR WebOS OR Bada OR Maemo OR MeeGo) OR "open source"))

**MORRISON** | **FOERSTER**

Steven T Snyder  
March 1, 2011  
Page Three

8. (Android OR Honeycomb) AND tablet

9. Armstrong

I would also like to discuss some of the particular requests for which we expect that Google will need to identify responsive documents without limiting itself to search terms, as well as some of Google's February 28, 2011 responses to Oracle's second set of document requests. Finally, we would like to discuss the extent of Google's document search efforts, including with respect to the file types and locations being searched. Please let me know what time is convenient for you, either tomorrow or Thursday afternoon.

I look forward to receiving your list of custodians and continuing to work together to ensure a timely production of documents consistent with the parties' ESI stipulation.

Sincerely,

/s/ Richard S. Ballinger

Richard S. Ballinger